

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

NETLIST, INC.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD., et al.,

Defendants.

Civil No. 2:22-cv-00293-JRG  
(Lead Case)

**JURY TRIAL DEMANDED**

**SAMSUNG’S MOTION FOR LEAVE TO FILE ITS  
MOTION TO COMPEL THE PUBLIC PORTIONS OF THE TRIAL  
TRANSCRIPT OF *NETLIST V. MICRON*, 2:22-CV-294-JRG-RSP OUT OF TIME**

Samsung moves for leave to file a motion to compel the public portions of the transcript from the recent trial in *Netlist, Inc. v. Micron Technology Texas et al.*, 2:22-cv-00294-JRG-RSP (“Micron Trial”) out of time.

The Micron Trial concluded on May 23, 2024, more than six months after the close of fact and expert discovery in this case and the deadline for filing motions to compel. *See* Dkt. 205. The public version of the trial transcript remains unavailable, however, except to the parties, and the parties have yet to file a request for redaction. Thus, the public version of the Micron Trial transcript will not be available on the public docket by September 9, 2024, when trial in this case begins.

Therefore, Samsung contacted counsel for Netlist and Micron, on July 22, 2024, to request production of the public portions of the transcript. Ex. 1. Micron indicated it did not oppose that same day. Netlist, however, did not agree.

Good cause exists to file a motion to compel after the deadline for filing motions to compel, because the Micron Trial transcript did not exist as of the deadline for filing motions to compel (November 20, 2023, *see* Dkt. 205).

Samsung thus respectfully asks the Court to grant this motion and permit Samsung to file its accompanying motion to compel on August 12, 2024.

Dated: August 12, 2024

Respectfully submitted,

By: /s/ Daniel A. Tishman

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*Attorneys for Defendants Samsung Electronics Co., Ltd.;  
Samsung Electronics America, Inc.; and Samsung Semiconductor, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on August 12, 2024. As of this date, all counsel of record have consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Daniel A. Tishman

**CERTIFICATE OF CONFERENCE**

Pursuant to Local Rules CV-7(h) and (i), counsel for the parties met and conferred on August 12, 2024. The parties' discussion conclusively ended in an impasse. Plaintiff indicated that it opposes this motion.

/s/ Daniel A. Tishman